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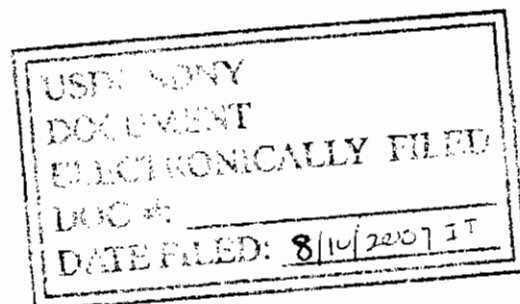
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August 8, 2007

Writer's Direct Contact

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By TelefacsimileHon. Barbara S. Jones
United States District Judge
United States Courthouse
500 Pearl Street, Room 620
New York, New York 10007**Re: LaVerde v. Capital One et al., No. 07-4838**

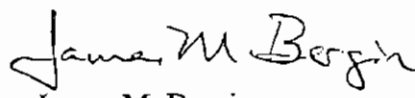
Dear Judge Jones:

We represent defendants Capital One F.S.B. (sued herein as Capital One Healthcare Finance) and CIT Bank (sued herein as CIT Group Inc.) in the above-referenced action. I write to request an extension of defendants' time to answer, move or otherwise respond to the complaint from Friday, August 10, 2007 to Friday, August 31, 2007. The reason for this request is that, due to previously scheduled vacations, our clients would like a brief additional period to review the proposed response before it is served. No prior request for an extension has been made in this case.

Upon learning that it would be necessary to request additional time to respond, I attempted to contact plaintiff's counsel, Shmuel Klein, Esq., to seek his consent. Unfortunately thus far I have not been able to reach Mr. Klein to discuss the matter. If I am able to contact him within the next day, I will inform the court of his response.

If the proposed extension meets with the Court's approval, I respectfully request that Your Honor "So Order" this letter and file it with the Clerk.

Respectfully submitted,


James M. Bergin

Application GRANTED

SO ORDERED
Date:
BARBARA S. JONES
U.S.D.J.

8/9/07

cc: Law Office of Shmuel Klein, PC (By Telefacsimile)

ny-769361